

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JODIE LANDIS,

Plaintiff,

Nos. 12-cv-11996
12-cv-12965

vs.

Hon. Gerald E. Rosen

FANNIE MAE a/k/a FEDERAL NATIONAL
MORTGAGE ASSOCIATION,

Defendant,

_____ /

and

CHARLES M. WICHT,

Plaintiff,

vs.

FEDERAL NATIONAL HOME LOAN
MORTGAGE CORPORATION,

Defendant.

_____ /

ORDER AWARDING COSTS AND FEES AND ASSESSING FINES
FOR PLAINTIFFS' COUNSEL'S FAILURE TO APPEAR
AND RENEWED ORDER TO APPEAR AND SHOW CAUSE

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on _____

PRESENT: Honorable Gerald E. Rosen
United States District Chief Judge

This matter came before the Court pursuant to the Court's November 28, 2012 Order to Show Cause in which the Court directed Plaintiffs' counsel, Emmett Greenwood, to appear on January 9, 2013 and show cause why he should not be sanctioned pursuant to Fed. R. Civ. P. 11 for repeatedly filing pleadings and briefs that present factual contentions lacking evidentiary support and frivolous claims and legal contentions. Defendants' attorneys appeared at the hearing but Mr. Greenwood failed to appear. The Court repeatedly attempted to reach Mr. Greenwood through his office but was unsuccessful.

Because the Court views Mr. Greenwood's conduct as egregious and wishes to address these matters with him directly to give him an opportunity to explain the matters which were the subject of the prior Show Cause Order, the Court withheld ruling definitively on this matter. However, because of the inconvenience to defense counsel and to the Court caused by Mr. Greenwood's non-appearance, for the reasons stated on the record on January 9, 2013 (*see* the Transcript attached at Ex. A), as a first step to remedy and address Mr. Greenwood's failure to appear, and to deter any further such conduct, the Court hereby imposes upon Emmett Greenwood the following sanctions:

IT IS HEREBY ORDERED that Emmett Greenwood shall pay the costs and fees incurred by Defendants Federal National Mortgage Association ("Fannie Mae") and the Federal National Home Loan Corporation for their attorneys' expenditure of time in connection with their appearance and response to the Show Cause Order. Counsel for Defendants shall provide the Court with affidavits of the costs and fees incurred.

IT IS FURTHER ORDERED that Emmett Greenwood shall pay to the Court the sum of \$500 for each of the two above-captioned cases, i.e., the aggregate amount of \$1,000, as a

fine for his failure to appear as ordered.

IT IS FURTHER ORDERED that failure to pay any of these sanctions will result in Mr. Greenwood being held in contempt of Court.

IT IS FURTHER ORDERED that Emmett Greenwood shall appear **with his clients**, Jodi Landis and Charles Wicht, before Chief Judge Gerald E. Rosen, in his courtroom, Room 733 Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, Michigan 48226 on **Thursday, January 24, 2013 at 11:00 a.m.** and **SHOW CAUSE** not only why he should not be sanctioned for violation Fed. R. Civ. P. 11(b), as well as under 28 U.S.C. § 1927 for unreasonably and vexatiously multiplying the proceedings in his conduct of litigation, but also as to why he should not be held in contempt generally for his conduct as an attorney in the Court and why he should not be referred to the Attorney Grievance Commission for consideration of disciplinary proceedings.

IT IS FURTHER ORDERED that Emmett Greenwood is to read the transcript of the January 9, 2013 proceedings (Exhibit A hereto) before appearing for the Renewed Show Cause hearing.

IT IS FURTHER ORDERED that, if Emmett Greenwood fails to appear with his clients as herein directed, the Court will issue a bench warrant for his arrest.

Dated: January 11, 2013

s/Gerald E. Rosen
Chief Judge, United States District Court

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 11, 2013, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager